

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ROBERT D. CARR,)
)
Plaintiff,)
)
v.) No. 4:10-CV-1729 (CEJ)
)
ANHEUSER-BUSCH COMPANIES, INC.,)
)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to compel defendant to respond to Interrogatory 12 of plaintiff's second set of interrogatories. Defendant opposes plaintiff's motion and the issues have been fully briefed.

In Interrogatory 12, plaintiff seeks to discover whether defendant wrote-off or otherwise reduced the "Accrued Salaried Compensation Absences" amount in its financial statements or other accounting records. (Doc. #30-1). Plaintiff claims that this information is relevant as to his claim that he should have been compensated for his accrued vacation pay after leaving defendant's employ. Through Interrogatory 12, plaintiff seeks to determine whether a new vacation policy that defendant adopted changed the way that vacation pay was paid to separating employees. Defendant asserts that the interrogatory is irrelevant, overbroad, and unduly burdensome.

"Parties may obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense." Rule 26(b)(1), Fed.R.Civ.P. "Relevant information need not be admissible at the trial if the discovery appears reasonably calculated to lead to the discovery of admissible evidence." Id. Here, the Court finds

that the accounting treatment defendant accorded to accrued vacation pay is relevant to the issues in this case. Further, because plaintiff has narrowed his request to write-offs or other reductions that occurred between November 26, 2008 and December 31, 2008, the interrogatory is neither overbroad nor unduly burdensome.

Accordingly,

IT IS HEREBY ORDERED that the motion to compel defendant to answer Interrogatory 12 of plaintiff's second set of interrogatories [Doc. #30] is granted.

IT IS FURTHER ORDERED that defendant shall provide plaintiff its answer to the interrogatory by **July 19, 2011**.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 12th day of July, 2011.